January 14, 2015

TO: Santa Clara County Board of Education
FROM: Anna Song, Chair, Policy Development Subcommittee
VIA: Jon R. Gundry, County Superintendent of Schools
SUBJECT: Second Reading of Recommended Deletion of Board Policies 3101, 5146, and 6185

Associated Goals
GOAL 4: Improve organizational effectiveness and efficiency

Background
On November 19, 2014 the Policy Development Subcommittee met and recommended the deletion of the following Board Policies:

**BP 3101 Budget Study Committee**
Deletion of BP 3101 Study Committee as language is already in BB 91301.1.

**BP 5146 Married/Pregnant/Parenting Students**
Deletion of BP 5146 as new law (AB 97) redirects funding for the California School Age Families Education (Cal-SAFE) program into the LCFF and thereby eliminates the mandate for program participants to adopt related policy. Material related to pregnancy prevention also deleted since the issue is appropriately addressed in other policies. Revised Administrative Regulation appropriately addresses current law and SCCOE practice.

**BP 6185 Community Day Schools**
Deletion of BP 6185 pursuant to Education Code 48667 being repealed; COE’s no longer have the authority to establish or operate a community day school.

Fiscal Implications
The proposed deletions have no fiscal implications.

Requested Action
Second reading and deletion of Board Policies 3101, 5146, and 6185.
Santa Clara COE
Board Policy
Budget Study Committee

BP 3101
Business and Noninstructional Operations

Budget Study Committee

It is the policy of the Santa Clara County Board of Education that the Santa Clara County Superintendent of Schools establish a Budget Study Committee to examine budget issues and provide information and suggestions that will assist the County Board in adopting a sound annual budget. The committee shall not vote on budget issues or on any other matters but shall take all information and suggestions forward to the County Board for its consideration. Further, the committee shall not participate in the development of the Office's annual budget; budget development is the responsibility of the County Superintendent pursuant to the Education Code and the California Administrative Code, Title 5. The committee shall have the structure and responsibilities as outlined below.

Committee Structure

The Budget Study Committee shall consist of the following members:

* The County Superintendent, who shall serve as chair

* Three members of the County Board, appointed by the County Board president on a yearly rotating basis

* The Branch Chiefs

* The Budget Officer, who shall serve as the ex-officio secretary

Responsibilities

1. The County Superintendent shall convene the first meeting of the committee no later than January 30 of each year.

2. Annually, in the fall of each year, committee members shall develop a schedule of future meetings and shall develop tentative agendas for those meetings (subject to modification by future committee members).

3. The committee shall be responsible for studying state and federal legislation; taking a pro-active approach to budget issues at the state and federal level; informing the Board about such budget issues, as well as about forecasts, assumptions, and trends expected to affect the future
funding of office programs; and suggesting fiscal strategies to assist the County Board in the adoption of a sound annual budget and the implementation the office's vision, goals, and long-range plan.
Santa Clara COE
Board Policy
Married/Pregnant/Parenting Students

BP 5146
Students

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants COEs flexibility in "Tier 3" categorical programs. The Santa Clara County Office of Education accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-2009 through 2012-2013 fiscal years. As a result, the COE may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

The Santa Clara County Board of Education recognizes that early marriage, pregnancy or parenting may disrupt a student's education and increase the chance of a student dropping out of school. The County Board therefore desires to provide instruction and services designed to assist in pregnancy prevention. The County Board also desires to support male and female expectant and parenting students to attain strong academic and parenting skills and to promote the healthy development of their children.

(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

Married, expectant and parenting students shall have the same educational and extracurricular opportunities as all students. Participation in special programs or schools shall be voluntary.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5127 - Graduation Ceremonies and Activities)
(cf. 6145 - Extracurricular and Cocurricular Activities)

For school-related purposes, married students under the age of 18 are emancipated minors and have all the rights and privileges of students who are 18, even if the marriage has been dissolved. (Family Code 7002)

Pregnancy Prevention Program

The County Superintendent or designee shall ensure that age-appropriate, culturally sensitive and
community-sensitive instruction and services are available to assist in the prevention of pregnancy among minors. The Santa Clara County Office of Education program shall be based on strategies that have proven effective in delaying the onset of sexual activity and reducing the incidence of pregnancy among school-age youth. Instruction shall be consistent with the SCCOE family life/sex education curriculum.

(cf. 5141.25 - Availability of Condoms)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

Legal Reference:
EDUCATION CODE
2551.3 Determination of state aid for pregnant minors program
17293  School facilities for pregnant/parenting teen programs
48220  Compulsory education requirement
48410  Persons exempted from continuation classes
49553  Nutrition supplements for pregnant/lactating students
49558  Confidentiality of applications and records for free or reduced price meals
51220.5  Parenting skills and education
51745  Independent study
52610.5  Enrollment of pregnant and parenting students in adult education
54740-54749.5 California School Age Families Education Program (Cal-SAFE)
FAMILY CODE
7002  Description of emancipated minor
7050  Purposes for which emancipated minor considered an adult
HEALTH AND SAFETY CODE
124175-124200 Adolescent and Family Life Act
UNITED STATES CODE, TITLE 20
1681-1688  Title IX, Education Act Amendments
CODE OF FEDERAL REGULATIONS, TITLE 34
106.40  Marital or parental status

Management Resources:
CDE PUBLICATIONS
Pregnant and Parenting Students: A Report to the Legislature, April 1996
SBE POLICIES
Policy statement on adolescent pregnancy and parenting, July 9, 1993
WEB SITES
CDE: http://www.cde.ca.gov
California Department of Public Health:  http://www.cdph.ca.gov
Department of Social Services:  http://www.dss.ca.swnet.gov

Policy SANTA CLARA COUNTY OFFICE OF EDUCATION
adopted:  October 20, 2010  San Jose, California
Santa Clara COE
Board Policy
Community Day School

BP 6185
Instruction

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants COE flexibility in "Tier 3" categorical programs. The Santa Clara County Office of Education accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-2009 through 2012-2013 fiscal years. As a result, the COE may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

The Santa Clara County Board of Education recognizes the need to provide an appropriate alternative educational program for expelled students who are prohibited from attending regular schools in the county and for certain students referred by probation or county school district's processes. The Santa Clara County Office of Education shall operate one or more community day schools designed to meet the needs of these students. The Santa Clara County Superintendent of Schools or designee shall ensure that any such school is operated in accordance with legal requirements related to enrollment, instructional time and facilities.

The County Board perceives the community day school as a flexible component of a comprehensive effort to meet the needs of expelled and other at-risk students throughout the county. The County Superintendent or designee shall solicit input from the Santa Clara county districts when designing the SCCOE community day school and shall collaborate with them in fulfilling countywide needs.

In order to foster positive attitudes and academic progress, the County Board recognizes that community day schools must give students substantial individual help with their problems. Community day school staff shall collaborate with SCCOE counselors, psychologists, and other support staff, law enforcement, probation, and human services agency staff who work with at-risk youth. To the extent possible, community day school programs shall provide a low student-teacher ratio as well as individualized instruction and assessment.

(cf. 1020 - Youth Services)
(cf. 5149 - At-Risk Students)
(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:
EDUCATION CODE
1980-1986 County community schools
17085-17096 Emergency portable facilities
17280-17316 Field Act, approvals
17365-17374 Field Act, fitness of occupancy
48660-48666 Community day schools
48900-48926 Suspension or expulsion
WELFARE AND INSTITUTIONS CODE
300 Minors subject to jurisdiction
602 Minors violating laws defining crime; ward of court
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504

Management Resources:
CDE PROGRAM ADVISORIES
0306.96 Expulsion Policies and Expulsion Placements, SPB: 95/96-04
WEB SITES
CDE, Educational Options Office: http://www.cde.ca.gov/spbranch/essdiv/adoptshome.html